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# Introduction

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## **Overview**

Historically, researchers, policymakers, and practitioners have sought improved solutions to the issues associated with specific learning disability (SLD) identification decisions. Since the passage of the Individuals with Disabilities Education Act of 1997 (P.L. 105-117) (IDEA 1997), numerous identification methods have been proposed, implemented, and studied. Although each new method has been at least partially successful in addressing some of the limitations of earlier methods, each new identification model is saddled with its own set of shortcomings.

We believe that factors beyond the specific identification methods implemented significantly influence the decision-making process and, ultimately, decisions about who has and who does not have an SLD. Thus, the search for new identification technologies should also include efforts to better understand the values and biases of critical stakeholders and include these factors in the overall decision-making process. These processes are important as state education agencies (SEAs) reflect on their understanding of SLD, develop specific plans for their identification models, and have those models implemented in individual schools. This introductory section describes current understanding of the issues surrounding SLD identification, explains current issues that affect policy implementation, and outlines an approach toward assisting SEAs to improve it.

## **How NRCLD approaches SLD**

The National Research Center on Learning Disabilities (NRCLD) was funded by the Office of Special Education Programs (OSEP) to conduct follow-up research; provide training; disseminate synthesized, research-validated information; and provide national technical assistance on issues in the area of identification and assessment of children with SLD. Through our research activities, we have come to understand that the way the learning disability category is operationally defined affects the way that students are identified as having SLD. The concept of SLD is valid and supported by strong converging evidence. Although ultimately, appropriate service delivery and improved educational outcomes for all students are the goals, accurate identification of students with SLD is important because of the civil rights afforded to people with disabilities and because appropriate service delivery and its subsequent positive outcomes cannot be ensured without accurate identification. We believe that the current process of SLD identification can be improved.

## *Getting Started with SLD Guide*

### *WHAT IS THE SLD PROBLEM?*

As suggested by recent research (Fletcher et al., 2005; Fuchs, Fuchs & Compton, 2004; Learning Disabilities Roundtable, 2002), we believe that current approaches to SLD determination are problematic and welcome the emphasis in the Individuals with Disabilities Education Improvement Act of 2004 (P.L. 108-446) (IDEA 2004) on changing these procedures. We believe that SLD identification is multifaceted and will require more than just changes in statutory and regulatory language to result in improved educational services for students with SLD. The following are some of the main issues/challenges cited with SLD determination:

- Too many students are identified as having SLD.
- Minorities are often overrepresented.
- Variability in eligibility criteria and their application may result in the wrong students being identified.
- Assessment, evaluation, and services are costly.
- Identification occurs too late: Identification requires students to fail before they qualify for services.
- Students with SLD are not differentiated from other students with low achievement.
- School staffs view the provision of services as more important than accurate classification.

### *WHY DOES THE SLD PROBLEM HAPPEN?*

Although a variety of explanations exist for the problems surrounding SLD determination, we believe that most problems occur because the SLD identification model is not clearly defined, schools are not held accountable for their decisions, and the values underlying the current model do not match the school's (or district's) values in meeting students' varied needs.

### *WHAT ARE THE CRITICAL ATTRIBUTES OF AN SLD IDENTIFICATION MODEL?*

IDEA 2004 includes statutory language that acknowledges that existing models of SLD identification are problematic. The statute does not prescribe specific alternatives because to date, no research-validated SLD identification model has emerged. Stakeholders in focus groups conducted by NRCLD staff during 2001, 2002, and 2003 agreed on some of the following critical attributes that are desired in an SLD identification model (Mellard et al., 2004):

- Accurate, valid, research-based

- Definite criteria
- Early identification
- Prescriptive in nature, child-centered
- Age-developmentally appropriate
- General education accountability
- Efficient process
- National standards

Although we believe that IDEA 2004 is an important step in addressing shortcomings in the current approach to SLD identification, some evidence suggests that the field's unrelenting search for "a better mousetrap" may be in vain (Mellard, Deshler, & Barth, 2004). The challenges that surround making SLD determination decisions involve much more than merely having a well-designed technology or identification model. SLD determination decisions are strongly influenced by factors that extend significantly beyond the characteristics typically tapped by identification tools such as psychometric factors, student answers to items on an assessment instrument, or the degree of a student's responsiveness to an intervention approach.

Some of the factors not measured by existing identification tools that frequently influence SLD identification decisions include the following:

- The availability of other services for students who struggle to learn
- The degree of involvement of the student's parents in the identification process
- The student's ethnicity or socio-economic status (SES)
- The perceived role of various staff members in a school setting relative to low student achievement
- The degree to which teachers see themselves as being responsible for ensuring the success of certain low-performing students

In other words, although the data that result from applying an identification technology may suggest one decision, factors independent of what is measured often trump what is indicated by the outcome of the assessment tool or technology. Not only must these forces be acknowledged, they also must be carefully accounted for when attempting to understand the complete nature of the dynamic surrounding SLD identification decision-making (Mellard et al., 2004).

For our purposes, our reference to "SLD assessment technology and tools" includes all areas associated with decisions about a student's possible SLD. Thus, we include formal measures, such as

student ability and achievement, screening instruments, progress monitoring measures, and cut-off scores. We also include the processes associated with referrals, fidelity measures, review of assessment results, weighting of student data, and how the decisions are made.

### ***How NRCLD approaches policy implementation***

Drawing on the work of policy theorists and research on implementation of SLD identification procedures, we have approached the writing of the *Getting Started with SLD Determination: After IDEA Reauthorization (Getting Started with SLD Guide)* based on the following principles to support SEAs in the large-scale implementation of SLD identification.

1. Effective solutions depend on developing an accurate representation of the problem at hand (Mitchell & Encarnation, 1984; Robinson, 1998).
2. Changes to methods of SLD identification alone will be inadequate in producing successful large-scale improvements without appeals to both the *institutional* and *individual* values and incentives for considering these changes (Elmore, 1996).
3. Schools approach SLD identification with a different set of concerns from researchers (MacMillan & Siperstein, 2002). As a result, subjectivity plays a major role in student-level decision making.
4. Perceived roles of key stakeholders and the culture within the school support or present barriers to new innovations and must be considered as a significant component of implementation (Reid, 1987).

This suggests that if we are to be successful in our efforts, we will need to assist SEAs in identifying and articulating their theory of purpose (i.e., educating all children well) and the social systems or contexts in which they operate. For example, how might SLD determination processes be affected by the unique characteristics of the school population, availability of resources, and/or parental involvement? Research suggests that these factors do contribute to actual SLD determinations, that these factors vary by school, and that if schools are to improve the validity of their SLD identification procedures, understanding these contexts are critical.

Although one important task of the NRCLD

is to provide access to research findings related to these issues, we also believe that to understand the magnitude of the challenges surrounding SLD identification, having a thorough understanding of various conceptualizations of SLD, the values that affect multiple solutions, and the context and constraints in which schools operate is important.

We view our role in providing technical assistance as expanding beyond the mere provision of information on a particular method and toward assisting institutions in applying a framework that includes:

- Defining the problem related to current methods of SLD identification
- Examining mechanisms and evidence-based practices that may be useful for implementation
- Identifying specific constraints on the stakeholders involved (i.e., SEAs, local educational agencies, general education teachers, special education staff, parents, and advocates)
- Contextualizing the specific issue of SLD identification within the broader organization of educational services
- Devising methods for ongoing evaluation that include both a focus on fidelity of implementation and a focus on achieving the “bottom line” (in this case, improved SLD determination procedures)

### ***How this Getting Started with SLD Guide is organized***

The *Getting Started with SLD Guide* is presented in seven sections with corresponding activities. The sections are outlined briefly here to describe the process you will complete as you work through the guide.

#### ***SECTION 1. DETERMINE THE CURRENT STATUS IN YOUR STATE AND PREPARE FOR CHANGE***

In this section, you will work through developing a picture of some of the issues and challenges your organization currently faces in the identification of students with SLD. We provide a review of the changes in statutory language (regulatory language to be included when available) that will have the most effect on SLD determination.

#### ***SECTION 2. ENSURE POLICY COHERENCE ACROSS LEGISLATION***

SLD identification is not the only game in town.

## *Getting Started with SLD Guide*

This section addresses how IDEA 2004 policy changes and the many other federal, state, and district initiatives can work together to help your organization stay focused on its mission.

### *SECTION 3. ADDRESS CHALLENGES WITH SLD DETERMINATION IN YOUR STATE*

This section describes the issues that make accurate SLD determination difficult. You will identify the specific problems with which your organization is struggling.

### *SECTION 4. ADDRESS WHO IS THE STUDENT WITH SLD*

While numerous authoritative definitions exist, getting a clear picture of how the characteristics commonly attributed to students with SLD manifest themselves is difficult. In this section, you will consider more carefully how low and underachievement differs from SLD.

### *SECTION 5. DESIGN YOUR PLAN*

Change can follow a somewhat predictable pattern. In this section, you will move through the steps of examining and specifying a framework of components, procedures, and criteria for SLD determination.

### *SECTION 6. IMPLEMENT YOUR PLAN*

In this section, you will move through the steps of how to implement your SLD determination model by outlining the steps in the process for SLD determination.

### *SECTION 7. EVALUATE YOUR PLAN*

In this section, you will use your existing tools as well as formative and summative evaluation methods to assess how your SLD determination model is achieving its goals.

We recommend that you progress through these materials in the order in which they are presented. To adequately address the activities, you may want to create a work group or task force (e.g., SLD Determination Review Task Force) consisting of state agency spokespersons from the governor's office, education, health, finance, and special interest groups to obtain varied stakeholder perspectives as well as develop future champions to promote future initiatives that may result from this process. You also may need to choose a working team to assist with the development and implementation. Those team members should represent the varied stakeholders with an interest and might include a principal, psychologist, special education teacher/director, general education teacher(s), and related service staff (e.g., speech and language, occupational therapy, counselors, and Title I interventionists). Set a timeline/schedule for conducting these work sessions.

You may devote an entire training/conference day, or you may choose to distribute materials and ask team members to come prepared to contribute as you work through particular sections. We believe that this *Getting Started with SLD Guide* is critical in setting the tone to address subsequent changes to SLD identification and believe that when implemented with integrity, it may help your SEA develop workable solutions that appeal not only to the research evidence supporting various identification methodologies but also to the values to which your organization adheres and within which it operates.

### *Staffing considerations*

Because of the large amount of staff turnover in most school districts, it will be important to keep these materials so they can be used to support adult learning and professional development for new staff members.

# References

- Elmore, R. (1996). Getting to scale with good educational practice. *Harvard Educational Review*, 16(1), 1-26.
- Fletcher, J.M., Coulter, W.A., Reschly D.J., & Vaughn, S. (2004). Alternative approaches to the definition and identification of learning disabilities: Some questions and answers. *Annals of Dyslexia*, 54(2), 304-331.
- Fuchs, D., Fuchs, L.S., & Compton, D.L. (2004). Identifying reading disabilities by responsiveness-to-instruction: Specifying measures and criteria. *Learning Disability Quarterly*, 27(4), 216-227.
- IDEA 1997: Individuals with Disabilities Education Act of 1997 (Public Law 94-142).
- IDEA 2004: Individuals with Disabilities Education Improvement Act of 2004 (Public Law 108-446).
- Learning Disabilities Roundtable (2002). *Specific learning disabilities: Finding common ground*. Washington, DC: U.S. Department of Education, Office of Special Education Programs, Office of Innovation and Development.
- MacMillan, D.L., & Siperstein, G.N. (2002). Learning disabilities as operationally defined by schools. In R. Bradley, L. Danielson & D.P. Hallahan (Eds.), *Identification of learning disabilities: Research to practice* (p. 287-368). Mahwah, NJ: Lawrence Erlbaum Associates.
- Mellard, D.F., Byrd, S.E., Johnson, E., Tollefson, J.M., & Boesche, L. (2004). Foundations and research on identifying model responsiveness-to-intervention sites. *Learning Disability Quarterly*, 27(4), 243-256.
- Mellard D.F., Deshler, D.D., & Barth, A. (2004). SLD identification: It's not simply a matter of building a better mousetrap. *Learning Disability Quarterly*, 27(4), 229-242.
- Mitchell, D.E., & Encarnation, D.J. (1984). Alternative state policy mechanisms for influencing school performance. *Educational Researcher*, 13(5), 4-11.
- Reid, W. (1987). Institutions and practices: Professional education reports and the language of reform. *Educational Researcher*, 16(8), 10-15.
- Robinson, V.M. (1998). Methodology and the research-practice gap. *Educational Researcher*, 27(1),

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# Ensure Policy Coherence Across Legislation

*Implementation that Addresses Current Regulatory Enactments*



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- *Develop a Simplification System*, page 2.4
- *Activity 2.1: Characteristics that Define Organizational Mission Statement*, page 2.4
- *Policy Coherence*, page 2.7
- *Activity 2.2: Search for Policy Coherence within Two Legislative Initiatives*, page 2.8
- *Summary*, page 2.13
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### Overview

In the *Introduction* to this guide, the National Research Center on Learning Disabilities (NRCLD) described issues surrounding specific learning disabilities (SLD) identification, explained current issues that affect policy implementation, and outlined its approach for assisting state educational agencies (SEAs) and local educational agencies (LEAs). In *Section 1: Determine the Current Status in Your State and Prepare for Change*, you identified the components of your current SLD identification system and examined some of the issues related to SLD determination regarding the Individuals with Disabilities Education Improvement Act of 2004 (P.L. 108-446) (IDEA 2004) as identified by relevant stakeholders in your setting. In this section, *Ensure Policy Coherence Across Legislation*, you will use the information you have gathered about SLD determination to develop a framework that aligns, rather than competes, with current policy initiatives, such as Section 504 of the Rehabilitation Act of 1973 (P.L. 93-112), as amended through 1998, (Section 504), the Americans with Disabilities Act of 1990 (P.L. 101-336) (ADA), No Child Left Behind Act of 2001 (P.L. 107-277) (NCLB 2001), and IDEA 2004.

The changes to SLD identification in IDEA 2004 represent but one of the multiple policy initiatives that compete for a school's resources, attention, understanding, and implementation. Due to the numerous policy initiatives, "policy incoherence" is too often the norm for many schools as they attempt to comply with competing demands. Incoherence occurs when a particular policy is interpreted on its own, as if its practices are unrelated to others (Spillane et al., 2002). The end result is a fragmented, haphazard approach to ensuring a quality education for a school's students.

During the past 30 years, SEAs have adhered to numerous federal (and state) legislative enactments, amendments, and reauthorizations requiring that education be provided to all children in the least restrictive possible environments. Section 504 and ADA are generally seen as creating the framework for delivery of non-discriminatory education and related services to students with disabilities. As civil rights laws, both Section 504 and ADA guarantee equal opportunity to individuals with disabilities but have no funding authority; however, lack of compliance with them can affect an SEA's appropriations under complementary federal grant legislation.

The Education for All Handicapped Children Act of 1975 (P.L. 94-142) (EHA 1975) has had various amendments and reauthorizations surviving most recently as the Individuals with Disabilities Education Acts (P.L. 98-109 of 1983

and IDEA 1986, 1990, 1997, 2004). These IDEA reauthorizations, along with NCLB 2001, represent federal grant legislation linked to federal funding allocations for states providing services for students with special needs.

From inception, EHA 1975 and its subsequent reauthorizations through IDEA 2004 have required states to provide a “free, appropriate public education” to school-age children who have disabilities in the “least restrictive environment.” In 1993, the scope of this requirement was expanded to include services to preschool children, infants, and toddlers, and it was amended in IDEA 1986 to establish a comprehensive system of early intervention services for infants and young children with special needs and their families across all states (Virginia School Health Guidelines, 1999).

NCLB 2001, which reauthorized the Elementary and Secondary Education Act of 1994 (P.L. 103-382), is linked to Title 1 funding for remedial education programs similar to *Reading First*, which targets poor and disadvantaged K-3 students in predominately public schools. By assuring each LEA and school are accountable for every student’s progress, ensuring that students are taught by highly qualified teachers, demanding programs are proven successful based on scientific-based research, and creating a system fully aligned with state learning regulations, NCLB 2001 has legislated significant changes in standards for schools. Accountability is a large component of NCLB 2001, with its requirements that SEAs submit reports detailing Adequate Yearly Progress (AYP) to the Department of Education, the results of which affect future state funding appropriations.

The reauthorization of IDEA in 2004 promotes educational assistance for all children with disabilities (Part B), which aligns with NCLB 2001, by ensuring that educational personnel are highly qualified, specifying that research-based interventions are used, enhancing student progress through the use of early intervening services, and preventing the over-identification and disproportionate representation of students with disabilities. Similar to NCLB 2001, IDEA 2004 requires that SEAs submit annual State Performance Plans (SPPs), which report progress/performance across indicators associated with specified monitoring priorities. Similar to AYP reports, these annual SPPs will affect state funding appropriations. The AYP and SPP data provide ample information to SEAs for enhancing the educational

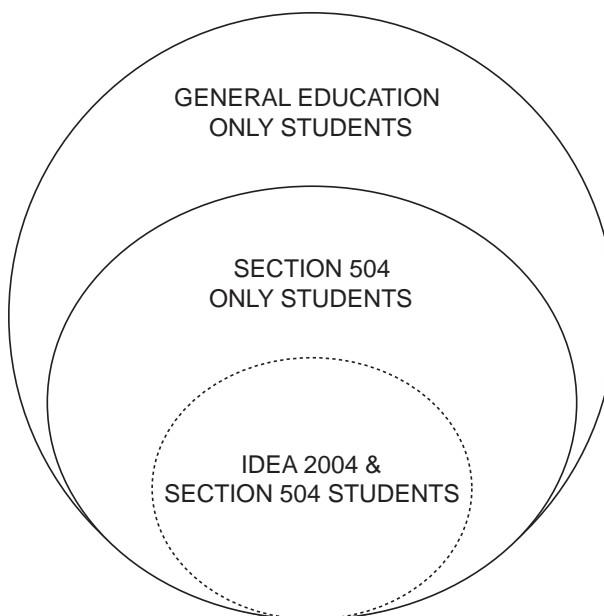
system for all students.

Because the definitions of disability are more broadly defined under Section 504 and the ADA entitlement legislation, an SEA can be in compliance with NCLB 2001 and/or IDEA 2004 but not necessarily in full compliance with Section 504 and ADA. The definitions in Section 504 and ADA cast a broad net. Figure 2.1 below compares eligibility under IDEA 2004 and Section 504.

Most policy initiatives share as an end goal improved learning for all students, although many focus on a narrow aspect of the curriculum, school functioning, or school population. SEAs and, ultimately, schools are left to organize and integrate these policies in ways that complement the organization’s stated mission to reach what has been called “policy coherence” (Honig & Hatch, 2004).

The National Association of State Directors of Special Education, Inc., (NASDSE) has a web site and publications that address a number of policy questions with which SEAs are grappling regarding research implementation and that examine how to ensure that multiple policy demands are implemented successfully (NASDSE, 2005; 2006). NASDSE, as well as other associations, provides conceptual frameworks an SEA can adopt as it works to achieve

Figure 2.1. IDEA 2004 and Section 504 Eligible Student Population Comparisons



Adapted from *Student Access, A Resource Guide for Educators: Section 504 of the Rehabilitation Act of 1973*. Council of Administrators of Special Education, Inc.

policy coherence. Although different researchers use different terminology, they agree that the following ingredients are essential to successful implementation:

- Develop a “simplification system,” based on a goal statement that is specific, open-ended, and adaptable (Honig & Hatch, 2004).
- Consider policy initiatives within the context of the organization’s values, beliefs, and operating system to either bridge or buffer competing policy demands (Honig & Hatch, 2004; Reid, 1987; Spillane et al., 2002).

The two activities in this section are designed to help you work toward policy coherence and to include the integration of IDEA 2004 requirements with other current policy initiatives, such as NCLB 2001. As you complete the activities, you may want to refer to a copy of your mission statement and the information you have gathered in the previous sections of the *Getting Started with SLD Guide*.

# Part One

## Develop a Simplification System

A “simplification system” is a yardstick you can use to measure how well the policies adopted by your organization contribute to and support your most important goals. In essence, a simplification system is a series of statements that captures the personal, social, vocational, and academic goals of your organization. Many organizations summarize these goals in a mission statement (Goodlad et al., 2004).

Mission statements attempt to provide a concise vision of an organization’s purpose. However, mission statements are meaningless if they are not used to guide all of the activities in which an SEA

engages. A simplification system can help SEAs and schools link the demands of new policies and initiatives to the school’s mission, thus ensuring that the school can remain focused on its goals, *while also* contending with multiple policy initiatives (Honig & Hatch, 2004). For example, an organizational goal may be to provide better educational opportunities for all students. As the SEA considers how to improve the process of SLD identification, it also should consider how doing so helps it achieve that goal.

## Activity 2.1

### Characteristics that Define Organizational Mission Statement

Although the focus of organization and educational innovation goals vary, the goals consistently associated with successful reform efforts have embraced personal, social, vocational, and academic attributes (Goodlad et al., 2004). This section’s first activity helps your stakeholders and task force participants identify the goals and values your SEA associates with each of these attributes.

○ **Step 1:** Review your organization’s mission statement. Write your mission statement in the space provided on worksheet.

○ **Step 2:** Now, in the context of your mission statement, think about the four dimensions listed on worksheet: personal, social, vocational, and academic. What particular values does your organization associate with these dimensions? As a group, brainstorm about what your mission statement means related to each of these dimensions. Together, complete the columns for the four dimensions on the worksheet as you brainstorm.

○ **Step 3:** Distribute copies of the completed worksheet to your staff for review. Revise the worksheet as necessary until you have reached consensus about the attributes and components that embody your organization’s mission statement. The result of this activity is development of your SEA’s personal simplification system, which now can be used to measure the activities, policies, and initiatives in which your organization engages.

An example of a completed *Activity 2.1: Characteristics that Define Organizational Mission Statement* worksheet is provided on page 2.6.

# Activity 2.1

## *Characteristics that Define Organizational Mission Statement*

*Our mission statement:*

*How this mission statement is translated into its various dimensions:*

Personal	Academic	Vocational	Social

# Activity 2.1

## *Characteristics that Define*

### **Organizational Mission Statement**

#### Example

*Our mission statement:*

The mission of [insert your SEA name here] school's faculty, staff, students, parents, and community is to provide a safe learning environment that enables all students to maximize achievement through a rich variety of educational experiences.

*How this mission statement is translated into its various dimensions:*

Personal	Academic	Vocational	Social
<p>The commitment to continuous improvement is imperative if our schools are to enable students to become confident, self-directed, lifelong learners.</p> <p>Students need to be actively involved in self-evaluation and the production of quality work.</p>	<p>Student learning needs should be the primary focus of all decisions affecting the school's work.</p> <p>Students learn in different ways and should be provided a variety of instructional approaches, including the use of technology, to support their learning.</p>	<p>Students need the skills (beyond academic) that allow them to be successful in the workplace and community.</p>	<p>A student's education is enhanced by positive relationships, extra-curricular activities, and a system of academic and emotional support.</p> <p>Students need to participate in extra-curricular activities to develop leadership and teamwork skills outside the classroom.</p>

# Part Two

## Policy Coherence

Schools are faced with the demands of a wide variety of policy initiatives (e.g., NCLB 2001, Reading Excellence Act, and IDEA 2004). At a state level, the policy issues might focus on statewide assessment, curriculum revision, diploma requirements, teacher certification, and intelligent design. In the same way that a complete understanding of the problem of SLD identification is needed to craft appropriate solutions, a thorough understanding of these policies, what they require, and how these policies both compete for and complement resources can help schools achieve policy coherence (Honig & Hatch, 2004) and develop solutions that are both effective and efficient. Policy coherence has been defined as a process in which schools and local educational agencies work together to meet the demands imposed on them by outside forces (Honig & Hatch, 2004).

The school interprets demands and initiatives and uses existing policy mechanisms to remain true to the goals it created for itself. States have existing policy mechanisms at their disposal for influencing school performance. In brief, these mechanisms are:

- Mandates - Required behavior, prescribed consequence for non-compliance.
  - Resource Availability – General resources available to include funding, personnel, time, materials, facilities, knowledge, technology.
  - Resource Allocation – How are the available resources allocated to various school activities or educational inputs? How are these decisions made?
  - Capacity Building – Investment in material, intellectual, or human resources.
  - Inducements – Recognition of achieving a quality standard. This recognition varies with the rewards important to the individuals involved.
  - Monitoring – How is progress monitored? This includes monitoring overall student performance, overall teacher performance, overall school performance, and feedback from the community.
  - Accountability – How are schools held accountable for achieving their goals? How are building administrators and teachers held accountable? How are students?
  - System Change – What is the “glue” that holds the school together? How are school activities, policies, and functioning coordinated to achieve the intended outcomes?
  - Hortatory Appeals – Particular goals/actions are given priority by a person in authority.
- Organizing school functioning around these policy mechanisms represents a theoretical taxonomy, which provides a systematic and orderly basis for classifying state policy strategies (McDonnell & Elmore, 1987; McLaughlin, 1991). Using a simplification system of clearly articulated goals allows an SEA to consider SLD determination within the broader context of other policy initiatives and their populations.

## *Activity 2.2*

### *Search for Policy Coherence within Two Legislative Initiatives*

The next step toward achieving policy coherence is to consider the mechanisms available to support your educational goals as you operate within the constraints of various policy initiatives. Working through this activity will help develop a shared understanding among your staff concerning the values and assumptions underlying your organization's overall functioning.

Consider the various policy initiatives with which your state is currently contending. How has your SEA responded to these policy initiatives in terms of the mechanisms described in this section? For example, if you have implemented an accountability system for teachers and students as a result of the requirements of NCLB 2001, list a brief explanation of that in the relevant cell of the following table. Complete the table, listing all of the mechanisms your state would employ, does employ, or plans to employ to meet the requirements of the various initiatives.

Examine the completed table. What is the same about the entries across columns? Where do mechanisms differ? Where overlap occurs, your school can plan to extend and integrate these activities, to bridge policy requirements to create a coherent system to meet your school's stated goals. Where you encounter differences or gaps, consider *buffers*—ways to mitigate the demands from external sources that do not contribute directly to progress toward achieving your most important goals.

Policy Mechanism	IDEA 2004	NCLB 2001																
Accountability: responsible, answerable																		
Centralized governance due to emphasis on enforcement of performance standards for teachers and students																		
Centralized governance due to emphasis on enforcement of performance standards for teachers and students.																		

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Policy Mechanism	IDEA 2004 NCLB 2001 IDEA 2004 NCLB 2001	IDEA 2004 NCLB 2001 IDEA 2004 NCLB 2001	IDEA 2004 NCLB 2001 IDEA 2004 NCLB 2001	IDEA 2004 NCLB 2001 IDEA 2004 NCLB 2001	IDEA 2004 NCLB 2001 IDEA 2004 NCLB 2001	IDEA 2004 NCLB 2001 IDEA 2004 NCLB 2001
Resources: general-availability issue, allocation-priority issue	Mandated testing (screenings) in each school, as well as submittal of adequate yearly progress (AYP) reports for measuring system performance	Early Intervening Services (EIS) and progress monitoring promoted to enhance student performance	Reading, math, and science receive focus regarding system-wide improvement	Reading, writing, and math are primary areas of concern for learning disability designations among students	Content standards that are assessed receive priority	

Policy Mechanism	IDEA 2004					NCLB 2001				
	LEA	SEA	LEA	SEA	LEA	SEA	LEA	SEA	LEA	SEA
<i>Capacity building: investment in material, intellectual, or human resources</i>										
Need for highly-qualified teachers emphasized										Content standards

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Policy Mechanism	IDEA 2004	NCLB 2001	IDEA 2004	NCLB 2001	LEA	SEA	LEA	SEA	LEA	SEA	Horizontal and vertical mapping, aligned with assessments
<i>Mandates: required behavior, prescribed penalty</i>											Scientific-based research defined and aligned with system screening assessments

# Summary

The activities in *Section 2: Ensure Policy Coherence Across Legislation* represent a first step of working toward policy coherence. Although the focus of this section was to assist you in planning and implementing methods to improve SLD identification, we recognize that SEAs routinely balance a number of competing demands while striving for excellence. The goal in this section was to provide a framework for considering how you might integrate the various demands of current federal and state policy initiatives while remaining true to your organization's mission statement.

# References

- ADA: Americans with Disabilities Act of 1990 (Public Law 101-336).
- EHA 1975: Education for All Handicapped Children Act of 1975 (Public Law 94-142).
- Goodlad, J.I., Mantle-Bromley, C., & Goodlad, S.J. (2004). *Education for everyone: Agenda for education in a democracy*, San Francisco, CA: Jossey – Bass.
- Honig, M.I., & Hatch, T.C. (2004). Policy coherence: How schools strategically manage multiple, external demands. *Educational Researcher*, 33(8), 16-30.
- IDEA 1986: Individuals with Disabilities Education Act of 1986 (Public Law 99-457).
- IDEA 1990: Individuals with Disabilities Education Act of 1990 (Public Law 101-476).
- IDEA 1997: Individuals with Disabilities Education Act of 1997 (Public Law 94-142).
- IDEA 2004: Individuals with Disabilities Education Improvement Act of 2004 (Public Law 108-446).
- McDonnell, L.M., & Elmore, R.F. (1987). Getting the job done: Alternative policy instruments. *Educational Evaluation and Policy Analysis*, 9(2), 133-152.
- McLaughlin, M.W. (1991). Learning from experience: Lessons from policy implementation. In A.R. Odden (Ed.), *Education Policy Implementation* (pp. 185-195). Albany: State University of New York Press.
- NCLB 2001: No Child Left Behind Act of 2001 (Public Law 107-110).
- NASDSE: National Association of State Directors of Special Education, Inc. (2005). *Response to intervention: Policy considerations and implementation*. Alexandria, VA: Author.
- NASDSE: National Association of State Directors of Special Education, Inc. (2006). General organizational information retrieved March 14, 2006, from <http://www.nasdse.org/>.
- P.L. 98-109 of 1983: Public Law 98-109 of 1983.
- Reading Excellence Act*: Reading Excellence Act in the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999 (Public Law 105-277).
- Reid, W. (1987). Institutions and practices: Professional education reports and the language of reform. *Educational Researcher*, 16(8), 10-15.
- Section 504: Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112), as amended through 1998.
- Spillane, J.P., Reiser, B.J., & Reimer, T. (2002). Policy implementation and cognition: Reframing and refocusing implementation research. *Review of Educational Research*, 72, 387-431.
- Virginia School Health Guidelines. (1999). In T.P. Keen & N. Ford (Eds.) *Implementing Special Education: Students with Special Needs* (pp.228-248). Richmond: Virginia Department of Health. Retrieved February 22, 2006, from <http://www.vahealth.org/schoolhealth/chapter3.pdf>.

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## Section 3

# Address Challenges with SLD Determination in Your State

## What is the SLD Problem?

- *Challenges: Getting Services Versus Disability Determination, page 3.2*
- *Challenges: Discrepancy as the Sole Criterion, page 3.2*
- *Challenges: Distinguishing Low-Achievement and Underachievement from SLD, page 3.3*
- *Challenges: Weighing Stakeholder Values in Classification Decisions, page 3.3*
- *Challenges: Role of Clinical/Professional Judgment, page 3.3*
- *Summary, page 3.4*
- *Activity 3.1: Accuracy in SLD Identification Decisions, page 3.5*
- *Activity 3.2: Challenges that Affect Your Setting, page 3.9*
- *References, page 3.11*



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### Overview

In previous sections, the National Research Center on Learning Disabilities described issues surrounding specific learning disabilities (SLD) identification, explained current issues that affect policy implementation, and outlined an approach for helping state educational agencies (SEAs) improve their SLD identification model. You identified the components of your current SLD identification system and examined some of the issues related to SLD determination as identified by relevant stakeholders in your organization.

In *Section 3: Challenges with SLD Determination*, we will consider the question, “What makes accurate SLD determination so difficult?” Although many issues exist regarding SLD determination and current approaches that over rely on the achievement-aptitude discrepancy, the “SLD problem” is exacerbated by some of the following:

- A desire to get services for students versus accurate disability determination.
- The use of achievement-ability discrepancy as a sole determination criterion.
- The difficulties in distinguishing SLD from low achievement and underachievement.
- The reliance on unsupported psychological processing models in conceptualizing SLD (for example, modality models).
- The contribution that various stakeholder values make to classification decisions.
- The role of clinical/professional judgment in classification decisions.

This section briefly outlines why some of these challenges occur and why they are problematic for SLD identification. It then provides tools for you to use in considering whether these issues are relevant to your organization: that is, how your current approaches to SLD identification might be contributing to or exacerbating the issues. This section concludes by posing the question, “In your setting, what is more important than accuracy?” and ask you to prioritize the considerations in most need of attention within your organization or state.

# Challenges

Accurate identification is the most important outcome in improving SLD identification because of the immediate and long-term consequences for the student and the student's family. These consequences also are significant for other students with disabilities, general education students, and teachers. Often, mitigating factors can bias student-level decisions. Such factors, although well-intended, result in lowered accuracy rates of SLD identification. These factors are summarized below.

## *Getting services versus disability determination*

*We must come to grips with the realities that school districts serve different populations of children, have differing resources to address problem learners, and make eligibility decisions in light of these different circumstances.*

—Macmillan & Siperstein  
(LD Summit, August 2001)

Since 1975, the population of individuals identified as having learning disabilities has increased about 150 percent to a level that represents more than half of all students with disabilities and more than 5 percent of all students in school. These high identification rates may result from imprecision in federal and state definitions of learning disabilities. However, researchers have suggested that schools may identify students with learning disabilities because the resources to provide services to other categories of struggling learners (e.g., English language learners, low-achievers) are not available (MacMillan et al., 1998). Special education is used in these cases as a catchall for any learner who is struggling.

Other explanations for the marked increase in SLD identification rates are attributed to a school and family's desire to avoid labeling a student as behaviorally disabled and/or mentally retarded. Most special education resources have adopted non-categorical approaches of service delivery, and subsequently, many stakeholders believe there are no

advantages to labeling a child as mentally retarded (Wong, 1998).

According to Wagner and Garon (1999), the prevalence of SLD is likely to be closer to 1 to 3 percent of school-age children as opposed to recent estimates of 20 to 30 percent. Accurate identification of students with SLD is important because of the civil rights afforded to individuals with disabilities and because appropriate service delivery and its subsequent positive outcomes cannot be ensured without accurate identification.

## *Discrepancy as the sole criterion*

*The key point is that discrepancy should not be the sole criterion in SLD identification.*

—Kavale (LD Summit, August 2001)

Because of the ease with which a discrepancy approach to SLD identification can be implemented and measured, it has in many cases become the sole criterion for SLD identification. The major problems associated with this are that SLD is a multi-faceted construct that requires multi-faceted approaches to identification, assessment sensitivity is lacking for very young students, and the identification of a life-long condition is based on a single point in time for the student. Ultimately, the reliance on discrepancy as the sole criterion reduces the accuracy with which we identify students with SLD. One can likely imagine that students with a severe discrepancy can meet that criterion for a number of reasons. Students who have not participated in consistent, high quality instruction could manifest a discrepancy. They have the ability to achieve but if the instruction has not focused on the appropriate skills and done so with intensity, students will not be achieving as expected. Another influence is that students with behavioral or learning difficulties also could have interruptions in their learning and thus evidence a severe discrepancy. Underachievement can be an indicator of multiple learning issues, only one of which could be an SLD, thus it should only be considered a necessary,

but insufficient, SLD marker.

### ***Difficulties distinguishing low-achievement and underachievement from SLD***

One of the main differences between a student with general low-achievement or underachievement and a student with SLD is the idea that the achievement level is *unexpected* given the student's ability. However, when confronted with a student who is low achieving, teachers may make a referral so the student can receive services. Research has shown that students who are referred are likely to be found eligible regardless of what data from an evaluation may suggest (MacMillan & Siperstein, 2002; Ysseldyke et al., 1982). A number of studies confirm that large percentages of students whose low-achievement levels are NOT unexpected have been inaccurately identified as having SLD (Gottlieb et al., 1999; MacMillan et al., 1998; McLeskey & Waldron, 1990). The issue is further clouded by research that shows that students with low-achievement in reading, regardless of whether the low-achievement is expected, often respond to the same types of intervention (Stuebing et al., 2002).

Although students with general low-achievement present significant challenges to schools and deserve appropriate instructional opportunities, special education services are designed and funded only for students with disabilities. Disability determination and an evidenced need are the entitlement for those services. Accurate identification of students with SLD can ultimately increase outcomes for *all* students by informing the process of service delivery and instructional programming.

### ***Weighing stakeholder values in classification decisions***

*While data may suggest one decision, factors independent of what is measured may trump what is indicated...*

—Mellard, Deshler, & Barth, 2004

Different stakeholders may have a variety of reasons for wanting a student to be classified as having SLD. Those reasons reflect a value system that prioritizes school achievement and devalues low performance and explanations reflecting institutional inadequacies. Parents, for example, may be concerned that without the label, their child will be denied services

that he or she needs. A disability label also suggests that the child's difficulties are not due to parental neglect or failure. Conversely, a parent may want to avoid the classification for fear of its long-term implications. A teacher may feel ill-equipped to teach a struggling reader and reason that a student would be better served receiving special education services. If the child has a disability, the value of student achievement is mitigated. To help the one student with the disability would mean neglecting the needs of the other students in the classroom. The significant role that these competing values play in SLD identification decisions has been documented. Research has found that teachers are primarily motivated to provide quality services to students who need services the most (Bocian et al., 1999; Macmillan & Siperstein, 2002; Zigmond, 1993). Hence, addressing classroom needs appears to play a major role in the decision-making process, often overriding concerns about following district or state guidelines relative to SLD determination.

Additionally, focus group studies (Mellard et al., 2004) underscore that factors not accounted for by SLD identification tools strongly influence identification decision making. Variables such as the degree of parental involvement, familiarity of parents with school personnel, availability of other services for at-risk students, perceived competence of site teachers, and degree to which teachers feel a personal sense of responsibility for the academic progress of at-risk learners all emerged as factors influencing how various stakeholders think about and make decisions regarding struggling learners. Understanding the contextual variables that shape and influence how decisions are made is critical in working toward improved identification methods for accurate SLD identification.

### ***Role of clinical/professional judgment***

SLD identification is a team decision. In other words, assessment results alone cannot be used to determine eligibility. As mentioned in the previous section on stakeholder values, these decisions are influenced by a wide range of contextual factors that involve high degrees of staff and parent subjectivity. As assessment team members come to the process with different values, they shape the decision-making process in ways that may hinder accurate identification. These factors include most of the challenges in this section: a desire to get the child services, the belief

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that an SLD classification is more acceptable than a designation of behaviorally disabled or mentally retarded, and the lack of other remedial/instructional support. The team's adherence to standards that provide data that are accurate, consistent, sufficient, and objective is important. However, these types of data are not always provided or collected by the team, and as mentioned, team members may be motivated by other factors that influence the individual and

subsequently collective judgments of the team.

If accuracy is to improve, the decision rules for classification must be explicit. Such rules also should specify the role that clinical judgment has in the decision. (For example, whose judgment will be considered for which classification decisions?) The following activities will help you consider accuracy issues related to SLD identification.

In this section, we have reviewed

# *Summary*

some of the challenges in SLD identification that influence decision-making. As you design your plans in *Section 5: Design Your Plan*, *Section 6: Implement Your Plan*, and *Section 7: Evaluate Your Plan* of this *Getting Started with SLD Guide*, it will be important to keep this information foremost in mind.

The activities that follow will give you opportunity to consider the question: What practices prevent accuracy in SLD identification decisions?

# Activity 3.1

## Accuracy in SLD Identification Decisions

○ **Step 1:** Have each member of your team respond to the questions below to consider some of the practices that contribute to challenges in accurate SLD identification. Each team member will bring a unique perspective to this exercise. As you think about the questions, select one district’s perspective in your state to keep in mind as you respond or select three—a high performing (H), an average performing (A), and a low performing (L) district—to develop a broader overview. Place a check mark or X in the appropriate “Yes” or “No” column.

○ **Step 2:** For each section, determine totals for a) the number of “yes” answers, b) the number of “no” answers, c) the number of “yes” and “no” answers. Divide the number of “yes” answers by the total number of all answers to determine the percentage of “yes” answers. Divide the number of “no” answers by the total number of all answers to determine the percentage of “no” answers. Fill in the appropriate spaces on the worksheet.

This activity will help you consider some of the practices that might contribute to the challenge of accurate SLD identification in your setting. You will use the information on this worksheet to complete the decision matrix in the next activity.

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1. GETTING SERVICES VS. DISABILITY DETERMINATION	YES H-A-L	NO H-A-L
a. We provide highly effective remedial services for students with low-achievement (not special education).		
b. We use evidence-based instructional practices in reading.		
c. We use evidence-based instructional practices in writing.		
d. We use evidence-based instructional practices in math.		
e. The percentage of our students identified as having SLD is less than 5 percent.		
f. We have effective services for students who are English language learners.		
g. We have a formal method of identifying students' specific curricular or instructional needs in the classroom.		
h. We implement classroom interventions and collect data on their effectiveness.		
i. Within the classroom, individual students receive specific, scientifically based interventions and their progress is monitored.		
Other:		
Number of "Yes" answers:	_____	
Number of "No" answers:		_____
Total ("Yes" plus "No") answers:	_____	
Percentage ("Yes" answers divided by total answers):	_____ %	
Percentage ("No" answers divided by total answers):		_____ %

<b>2. SOLE-CRITERION</b>	<b>YES H-A-L</b>	<b>NO H-A-L</b>
a. We require assessment of multiple factors for SLD determination.		
b. We require documentation of these assessments in eligibility decisions.		
c. When a discrepancy is found, we implement further procedures to determine the suspected reasons for the discrepancy.		
d. We follow well-documented procedures for exclusionary criteria.		
Other:		
Number of "Yes" answers:	_____	
Number of "No" answers:		_____
Total ("Yes" plus "No") answers:	_____	
Percentage ("Yes" answers divided by total answers):	_____ %	
Percentage ("No" answers divided by total answers):		_____ %
<b>3. LOW-ACHIEVEMENT VS. SLD</b>	<b>YES H-A-L</b>	<b>NO H-A-L</b>
a. Our students identified with SLD have IQ ranges in the average to above-average range.		
b. We offer a variety of services for struggling learners.		
Other:		
Number of "Yes" answers:	_____	
Number of "No" answers:		_____
Total ("Yes" plus "No") answers:	_____	
Percentage ("Yes" answers divided by total answers):	_____ %	
Percentage ("No" answers divided by total answers):		_____ %

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4. SHAREHOLDER VALUES	YES H-A-L	NO H-A-L
a. We require an evaluation team discussion when making SLD determination decisions.		
b. We use a number of methods (i.e., letters, telephone calls, one-on-one meetings, team meetings) to engage parents in the discussion process when making SLD determination decisions.		
Other:		
Number of "Yes" answers:	_____	
Number of "No" answers:		_____
Total ("Yes" plus "No") answers:	_____	
Percentage ("Yes" answers divided by total answers):	_____ %	
Percentage ("No" answers divided by total answers):		_____ %
5. CLINICAL JUDGMENT	YES H-A-L	NO H-A-L
a. We have a clearly defined decision-making process for SLD (and other disabilities) identification.		
b. The evaluation team is required to collect a variety of specific data on which to base eligibility decisions.		
c. Our decision-making process clearly defines the role of each team member.		
Other:		
Number of "Yes" answers:	_____	
Number of "No" answers:		_____
Total ("Yes" plus "No") answers:	_____	
Percentage ("Yes" answers divided by total answers):	_____ %	
Percentage ("No" answers divided by total answers):		_____ %

# Activity 3.2

## Challenges that Affect Your Setting

○ **Step 1:** Use the information you have gathered from *Activity 3.1: Accuracy in SLD Identification Decisions* to complete the decision matrix below. You might consider recording the percentages each member of your team (representing stakeholder groups) calculated in the previous activity.

○ **Step 2:** Review the areas of agreement and disagreement in the decision matrix. Use this information and discussion within your group to complete the second half of this activity: prioritization.

### Which challenges to SLD have the greatest impact on your setting?

	General Ed Teacher	Special Ed Teacher	Principal Admin	Parent	Specialist	School Psych
Services vs. Determination	Yes: _____ %	Yes: _____ %	Yes: _____ %	Yes: _____ %	Yes: _____ %	Yes: _____ %
	No: _____ %	No: _____ %	No: _____ %	No: _____ %	No: _____ %	No: _____ %
Sole Criterion	Yes: _____ %	Yes: _____ %	Yes: _____ %	Yes: _____ %	Yes: _____ %	Yes: _____ %
	No: _____ %	No: _____ %	No: _____ %	No: _____ %	No: _____ %	No: _____ %
Distinguish Low- Achievement from SLD	Yes: _____ %	Yes: _____ %	Yes: _____ %	Yes: _____ %	Yes: _____ %	Yes: _____ %
	No: _____ %	No: _____ %	No: _____ %	No: _____ %	No: _____ %	No: _____ %
Stakeholder Values	Yes: _____ %	Yes: _____ %	Yes: _____ %	Yes: _____ %	Yes: _____ %	Yes: _____ %
	No: _____ %	No: _____ %	No: _____ %	No: _____ %	No: _____ %	No: _____ %
Clinical Judgment	Yes: _____ %	Yes: _____ %	Yes: _____ %	Yes: _____ %	Yes: _____ %	Yes: _____ %
	No: _____ %	No: _____ %	No: _____ %	No: _____ %	No: _____ %	No: _____ %

# *Activity 3.2*

## *Challenges that Affect Your Setting*

### *Prioritization*

- **Step 1:** Review the decision matrix your team completed in this first half of this activity.
- **Step 2:** Prioritize the practices you identified in the order of concern. You may want to complete this step in small groups and then combine the responses with results from the *Activity 2.1: Are You Ready for Change* worksheet that your group completed in *Section 2: Getting Ready for Change* so that you can see the extent to which each of the practices influence SLD eligibility decisions in your state.

SLD Challenges Priority List:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

# References

- Bocian, K.M., Beebe, M.E., MacMillan, D.L., & Gresham, F.M. (1999). Competing paradigms in learning disabilities classification by schools and the variations in the meaning of discrepant achievement. *Learning Disabilities Research and Practice*, 14, 1-14.
- Gottlieb, J., & Weinberg, S. (1999). Comparison of students referred and not referred for special education. *Elementary School Journal*, 99, 187-99.
- Kavale, K.A. (2001, August). Discrepancy models in the identification of learning disability. White paper presented at the Learning Disabilities Summit: Building a Foundation for the Future, Office of Special Education Programs (OSEP), U.S. Department of Education, Washington, DC. Retrieved March 31, 2006, from <http://www.nrclld.org/html/information/articles/ldsummit/kavale.html>.
- MacMillan, D.L., Gresham, F.L., & Bocian, K.M. (1998). Discrepancy between definitions of learning disability and school practices: An empirical investigation. *Journal of Learning Disabilities*, 31, 314-326.
- MacMillan, D.L., & Siperstein, G.N., (2001, August). Learning disabilities as operationally defined by schools. White paper presented at the Learning Disabilities Summit: Building a Foundation for the Future, Office of Special Education Programs (OSEP), U.S. Department of Education, Washington, DC. Retrieved March 31, 2006, from <http://www.nrclld.org/html/information/articles/ldsummit/macmillan.html>.
- MacMillan, D.L., & Siperstein, G.N. (2002). Learning disabilities as operationally defined by schools. In R. Bradley, L. Danielson, & D.P. Hallahan (Eds.), *Identification of learning disabilities: Research to practice* (p. 287-368). Mahwah, NJ: Lawrence Erlbaum Associates.
- McLeskey, J., & Waldron, N.L. (1990). The identification and characteristics of students with learning disabilities in Indiana. *Learning Disabilities Research*, 5, 72-78.
- Mellard, D.F., Byrd, S.E., Johnson, E., Tollefson, J.M., & Boesche, L. (2004). Foundations and research on identifying model responsiveness-to-intervention sites. *Learning Disability Quarterly*, 27(4), 243-256.
- Stuebing, K.K., Fletcher, J.M., LeDoux, J.M., Lyon, G.R., Shaywitz, S.E., & Shaywitz, B.A. (2002). Validity of IQ-discrepancy classifications of reading disabilities: A meta-analysis. *American Educational Research Journal*, 39, 469-518.
- Wagner, R.K., & Garon, T. (1999). Learning disabilities in perspective. In R.J. Sternberg & L. Spear-Swerling (Eds.), *Perspectives on learning disabilities*. Boulder, CO: Westview.
- Wong, B.Y.L. (Ed.) (1998). *Learning about learning disabilities* (2nd Ed.). New York: Academic Press.
- Ysseldyke, J.E., Algozzine, B., Richey, L., & Graden, J. (1982). Declaring students eligible for learning disability services: Why bother with the data? *Learning Disability Quarterly*, 5, 37-44.
- Zigmond, N. (1993). Learning disabilities from an educational perspective. In G.R. Lyon, D.B. Gray, J.F. Kavanaugh, & N.A. Krasnegor (Eds.). *Better understanding learning disabilities: New views from research and their implications for education and public policies* (pp. 251-272). Baltimore, MD: Paul H. Brookes Publishing Co.

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## Section 4

# Address Who is the Student with SLD

## *Why Does Low- and Underachievement Differ from SLD?*

- Part One: Low-Achievement or SLD, page 4.3
- Activity 4.1: Distinguish Between Low-Achievement and SLD, page 4.4
- Part Two: Develop a Conceptual Definition of SLD, page 4.7
- Activity 4.2: Features and Related Characteristics of SLD, page 4.8
- Part Three: Put It All Together, page 4.11
- Activity 4.3: Put It All Together, page 4.12
- Next Steps, page 4.14
- References, page 4.15



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### Overview

In previous sections, the National Research Center on Learning Disabilities (NRCLD) has described various issues surrounding accurate specific learning disabilities (SLD) identification, explained current issues that affect policy implementation, and outlined an approach for helping state educational agencies (SEAs) improve SLD identification. You identified the components of your current SLD identification system, examined some of the issues related to SLD determination as identified by relevant stakeholders in your setting, and outlined the challenges to SLD that have the most effect in your setting.

*Section 4: Address Who is the Student with SLD* examines the following question: “Who is the student with SLD?” The most widely used definition of SLD is found in the Individuals with Disabilities Education Improvement Act of 2004 (P.L. 108-446) (IDEA 2004) and is the basis of most state definitions used by many SEAs.

SPECIFIC LEARNING DISABILITY - 20 U.S.C. § 1401(26)(A); 34 C.F.R. § 300.7(c)(10)

(A) GENERAL - The term means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations.

(B) DISORDERS INCLUDED - Such term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia.

(C) DISORDERS NOT INCLUDED - The term does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural or economic disadvantage.

*The formal SLD definition continues to be contentious because of its failure to provide closure on two critical elements: understanding – a clear and unobscured sense of LD – and explanation – a rational exposition of the reasons why a particular student is LD.*

—Kavale & Forness, 2000, p. 240.

As noted in *Section 1: Determine the Current Status in Your State and Prepare for Change*, the wide variety of stakeholders involved in the field (general education teachers, special education teachers, parents, school psychologists,

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related services personnel, and researchers) each bring their unique perspectives to identifying who is the student with SLD. A general education teacher might respond to this question by noting that the student with SLD is one who is not doing well in class and needs a disparate amount of help to make progress. A special education teacher might determine that students with SLD display pronounced patterns of relative strengths and weaknesses and have specific, intense instructional needs. Parents may state that identifying their child as one who has SLD is a way to receive needed instructional services. Parents also may note that their child is different from others and has unique learning needs. School psychologists might focus on psychological perspectives of human learning and performance. Finally, research has shown wide discrepancies in who is identified as having SLD when comparing “research identified” and “school identified” populations of students (Hallahan & Mercer, 2002; *Keys to Successful Learning*, 1999).

While the myriad of issues will not be resolved here, our goal is to help you, as stakeholders in SLD determination procedures, work through a series of activities to come to a conceptual understanding of SLD and reach consensus about what features of the federal and state definitions will (might) be included in the SLD determination framework adopted in your state. We hope that you are better prepared to address the challenge posed by Kavale and Forness (2000) providing (a) a clear and unobscured sense of

SLD and (b) a rational exposition of why a student is distinguished from other low-achieving and underachieving students.

The materials in this section are divided into three parts:

- Part One will help you delineate your understanding of the differences and similarities between low-achieving students and students with SLD.
- Part Two will help you decide which features of SLD definitions are important in your context and which corresponding characteristics should be considered in your SLD determination procedures.
- Part Three summarizes the results of the activities you completed for Parts One and Two while asking you to review your decisions and plan future steps.

Each of these activities is designed to be completed through group discussions. As one strategy, you may want to conduct initial discussions in small groups to ensure everyone has a voice and then bring the small groups together to compare and discuss results.

# *Part One*

## *Low-Achievement or SLD*

Ample research evidence has shown that schools tend to make SLD classification decisions based on a variety of factors not directly linked to regulations, procedures, or definitions (Gerber, 1988; 2003; Halahan & Mercer, 2002; Macmillan & Superstein, 2002; Stanovich, 2005; Ysseldyke et al., 1982). One of these factors is the need to provide services to students who are low-achievers regardless of whether this low achievement is due to an SLD or attributable to “garden-variety low achievement.” Some reading research supports that low- and high-IQ poor readers benefit from the same types of reading interventions, and in current service delivery models, aside from special education, the types of intervention services available for low-achieving students are limited (Kavale et al., 2003). In other words, schools are motivated to provide services in whatever way possible to students who are not performing well.

Although meeting the needs of low-achieving students is a priority in education, addressing their needs through the use of a system designed to support those students with disabilities represents an improper use of federal funding and denies those with actual disabilities a chance to progress by virtue of the federal protections and civil rights that have been granted to them. The designation of SLD as one of the special education categories provides unique status for students meeting the categorical model and particular responsibilities for those persons making the student designation. What is needed, then, as a partial remedy is an appropriate service intervention for low- and underachieving students that may be similarly constructed but not encompassed under the same umbrella as special education services (Kavale et al., 2003).

# Activity 4.1

## Distinguish Between Low-Achievement and SLD

Use this activity to help delineate your understanding of the differences and similarities between low-achieving students and students with SLD.

In this activity, you are prompted to examine your views about students who are low-achieving or underachieving and those who have SLD. Why do such distinctions persist? What value do you attach to such labels (underachievement, low-achievement, and SLD)? In contemplating these questions, it may be useful to assume the perspective of just one district in your state or to select three districts with varying performance levels—high, average, and low—to develop a broader overview.

Use the following discussion questions to help you arrive at a deeper understanding of your beliefs and values in distinguishing between low-achievement and SLD.

- To whom are distinctions between students with low-achievement and students with SLD important? For what reasons are these distinctions important?
- To whom are distinctions between students with low-achievement and students with SLD *not* important? For what reasons are these distinctions unimportant?
- What services are available in your local education agencies (LEAs)/schools for students with SLD? For students with low-achievement? Are these services effective?
- If access to services were not an issue (if all students could get the help they needed), why would distinguishing between low-achievement and SLD be important?
- What opportunities exist in your LEAs/schools for capacity building to ensure that students, regardless of the category in which they are placed, receive appropriate instructional services?

○ **Step 1:** Consider each criterion/characteristic listed in the left column of the worksheet.

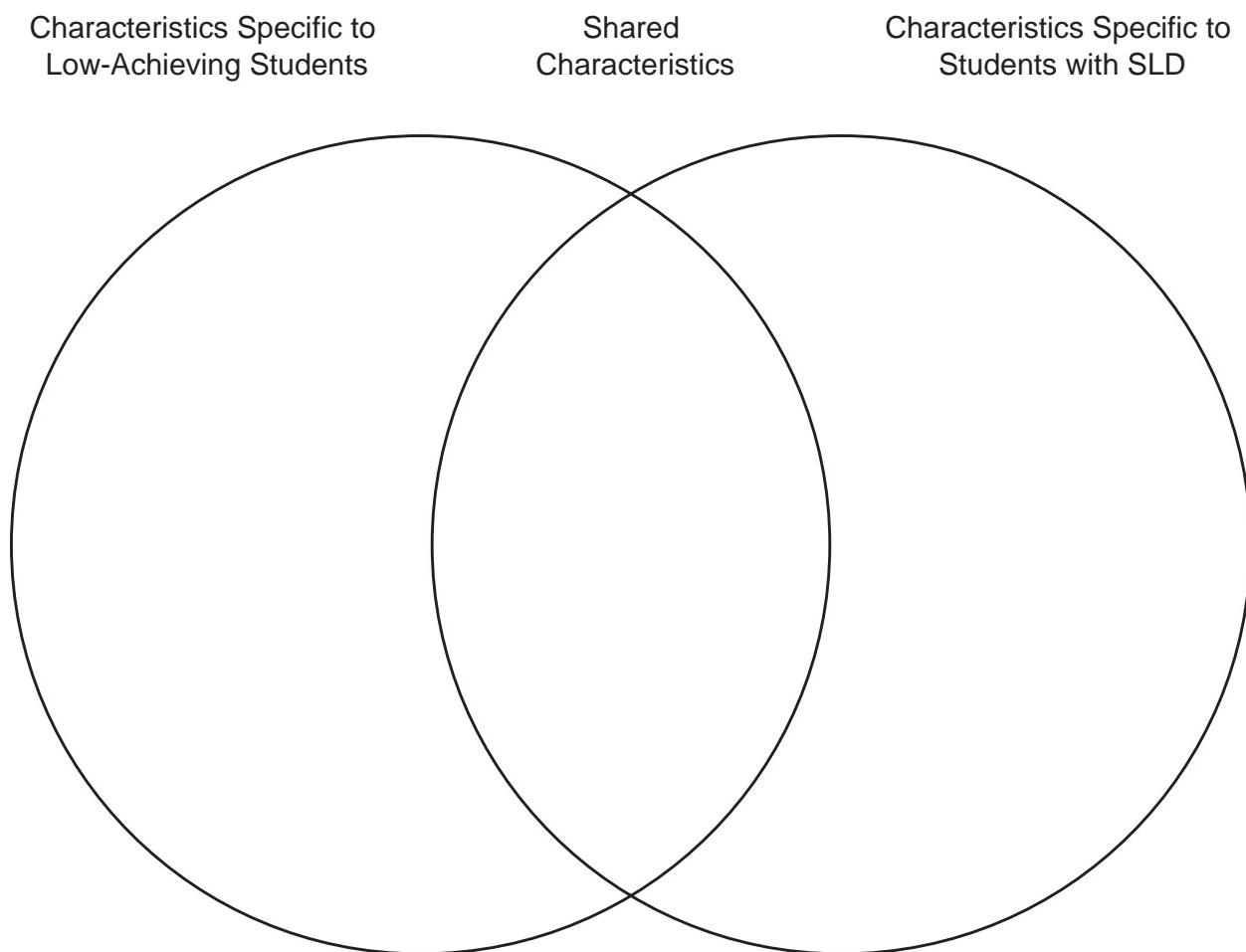
○ **Step 2:** In the appropriate column (Low Achievement or Specific Learning Disability), describe how that criterion or characteristic applies to students with low achievement and specific learning disability. Note differences or similarities between the two groups.

○ **Step 3:** To create a visual representation of the differences and similarities you have described, you may want to complete a Venn diagram (page 4.6) to help compare and contrast characteristics in these groups of students.

Characteristic	Low-Achievement	Specific Learning Disability
<b>Performance levels</b> <i>What grades, quality of work, assessment, class performance, IQ levels are associated with each group?</i>		
<b>Profiles</b> <i>Is performance consistent across academic, social, and behavioral areas?</i>		
<b>Response to intervention</b> <i>Do students make progress when they are provided evidence-based instructional practices?</i>		
<b>Services</b> <i>What services are needed (vs. available) to serve this student?</i>		
<b>Other factors</b> <i>Describe the motivation, behavior, social skills, or other associated characteristics for each group.</i>		

# *Venn Diagram*

To complete the Venn diagram, list characteristics specific to students with low achievement in the circle on the left, those specific to students with SLD in the circle on the right, and those shared in the overlapping area in the middle.



## Part Two

### Develop a Conceptual Definition of SLD

Take a minute to refresh your memory regarding the federal definitions of SLD.

**SPECIFIC LEARNING DISABILITY**  
- 20 U.S.C. § 1401(26)(A); 34 C.F.R. § 300.7(c)(10)

(A) **GENERAL** - The term means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations.

(B) **DISORDERS INCLUDED** - Such term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia.

(C) **DISORDERS NOT INCLUDED** - The term does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural or economic disadvantage.

Much of the controversy surrounding SLD identification issues stems from discrepancies between conceptual definitions and operational definitions. For example, reliance on IQ-achievement discrep-

ancies reduced SLD to a single dimension that did not account for many relevant definitional features (Rueda, 2005). In the context of SLD, much is known about many of the individual components of the definition. For example, we currently know a great deal about cognitive structures and processes, motivational processes, social factors, and increasingly, the role of cultural, contextual, and even political factors in understanding SLD (Rueda, 2005). What is missing is a comprehensive way to think about these components as part of the “bigger picture” that is SLD. How do these components interact and characterize the student with SLD?

In this part, features of the definition are reviewed and you are asked to comment on these features and corresponding characteristics that should be considered in deciding who is the student with SLD.

## Activity 4.2

### Features and Related Characteristics of SLD

*Use this activity to help decide which features of SLD definitions are important and which corresponding characteristics should be considered in your SLD determination procedures.*

In this activity, you are asked to complete a table identifying SLD characteristics. The first column presents features of the federal definition of SLD. To complete the second column, we ask you to identify what SLD characteristics are associated with those features. Keep in mind the following questions:

- What does a student with an imperfect ability to listen look like?
- How would we know whether low-achievement was the result of environmental, cultural, or economic disadvantage?

Recall that these characteristics might vary across grade levels. For example, phonemic awareness is likely a more common indicator for primary school students than middle school students, whose deficits may be more tied to reading comprehension and self-regulatory behavior.

Many characteristics are associated with SLD, but not all of them are important to SLD determination. As you complete this worksheet, negotiate which characteristics will be considered and work on a collective conceptual (as opposed to operational) understanding of these characteristics.

Also, focus your discussions on characteristics that help distinguish between low-achievers and students with SLD, rather than on the characteristics they share.

Here are some considerations that can help guide your discussion.

- The characteristics that you identify will be used to develop your assessment model. You will need to consider how these characteristics lend themselves to the components of the SLD construct. What procedures might be used to assess them? What student data are available to consider? What numerical or qualitative criteria will distinguish a student as having an SLD?
- “Setting demands” is a term that implies that tasks and particular task features (e.g., quality, speed of completion) vary with the school setting or environment. Setting demands also vary with age: primary school, middle school, and high school. Remember to consider age and physical setting in specifying characteristics.
- Involve experienced staff members in these discussions because their experience is important in considering the interaction of such influences as age, physical setting, second language, English language learners, and curriculum exposure. Persons new to the field often lack a sense of “normal” behavior—that is, the range of behaviors that one can expect to see in students of particular ages.

- Represent the diversity of professional perspectives in the considerations because these perspectives will be involved in the implementation and fidelity of application.
- What are the basic psychological processes that characterize SLD? (Examples include attention, perception, working memory, executive functioning or metacognitive processing, social perception.) (Having persons familiar with specific research studies can help in identifying these characteristics.)
- What abilities or processes are included in listening, speaking, reading, writing, spelling, or completing mathematical calculations? (In reading, for example, are phonemic awareness and decoding the only issues, or is reading comprehension important, too?)
- The definition includes disorders such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. What evidence determines (distinguishes) these disorders?
- Is a student's intellectual ability a consideration in SLD? Should the SLD population include individuals across the range of intellectual ability? Can a student with above-average ability be considered to have an SLD?

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The first column lists definitional features of the federal SLD definition. Complete column two by identifying the SLD characteristics that are associated with each feature.

Definitional Features	Related Characteristics
Disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written	
Imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations	
Includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia	
Does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage	

# Part Three

## *Put It All Together*

As you have worked the activities in this section, you have

- Clarified your distinctions between low-achievement and SLD.
- Identified characteristics of SLD that are related to features of federal and state SLD definitions and that can be linked to research.

Now, in preparation for *Activity 4.3. Put It All Together*, we ask you to review the information you gathered in *Activity 4.1: Distinguishing Between Low-Achievement and SLD* and *Activity 4.2: Features and Related Characteristics of SLD* by answering these questions:

- Do the characteristics you identified link to the definition?
- Do the characteristics you identified have a research basis?
- Do the characteristics you identified link to specific ages and developmental stages?

# *Activity 4.3*

## *Put It All Together*

*Use this activity to combine the information you developed in Activity 4.1: Distinguishing Between Low-Achievement and SLD and information from Activity 4.2: Features and Related Characteristics of SLD. This exercise will help you decide which are the necessary SLD characteristics.*

○ **Step 1:** For this activity, you can do one of the following:

- Use the worksheet on page 4.13. Complete column 2 by transferring characteristics from the worksheet you completed in Activity 4.2 (page 4.10).
- Add a third column, labeled “Necessary,” to your completed *Activity 4.2: Features and Related SLD Characteristics* worksheet (page 4.10).

○ **Step 2:** Review your list and decide which of the characteristics are **necessary** for determining that a student has SLD.

- Is your list of necessary characteristics sufficient?
- Does your list include all of the features of the SLD definition?

#### *Section 4: Address Who is the Student with SLD*

Scan your list of Related Characteristics (as determined in Activity 4.2, page 4.10) and indicate which are absolutely necessary for determining that a student has SLD.

Definitional Features	Related Characteristics	Necessary
<i>Disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written</i>		
<i>Imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations</i>		
<i>Includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia</i>		
<i>Does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage</i>		

# *Next Steps*

## *Next Steps*

These tasks are not easy to complete regardless of your level of expertise, nor will they yield a “perfect” solution. They *can* yield a workable solution. Our measurements and subsequent classification of students as having SLD, some other disability condition, or no disability will always include some errors. Errors can result from any decision; some errors are egregious (e.g., launching a space shuttle in spite of freezing temperatures or confusing a passenger airliner for an attacking jet). The efforts in these activities are intended to provide a rational basis or explanation for our student decisions and to

reduce our classification errors. The thoughtful engagement of staff members in these discussions also will give those involved a stronger sense of what errors are more likely to occur (for example, false positives and false negatives).

Now that you have developed your conceptual understanding of the student with SLD, the following sections of the *Getting Started with SLD Guide* will help you move toward an operational model of components, procedures, data specification, and criteria.

# References

- Gerber, M.M. (1988). Tolerance and technology of instruction: Implications of the NAS report for special education. *Exceptional Children*, 54, 309-314.
- Gerber, M.M., (2003, December). Teachers are still the test: Limitations of response to instruction strategies for identifying children with learning disabilities. Paper presented at the NRCLD Responsiveness-to-Intervention Symposium, Kansas City, MO. Retrieved March 31, 2006, from <http://www.nrclld.org/symposium2003/gerber/index.html>.
- Hallahan, D.P., & Mercer, C.D. (2002). Learning disabilities: Historical perspectives. In R. Bradley, L. Danielson, & D.P. Hallahan (Eds.), *Identification of learning disabilities: Research to practice* (pp. 1-98). Mahwah, NJ: Lawrence Erlbaum.
- IDEA 2004: Individuals with Disabilities Education Improvement Act of 2004 (Public Law 108-446).
- Kavale, K.A., Holdnack, J., Mostert, M.P., & Schmied, C.M., (2003, December). The feasibility of a responsiveness to intervention approach for the identification of specific learning disability: A psychometric alternative. Paper presented at the NRCLD Responsiveness-to-Intervention Symposium, Kansas City, MO. Retrieved March 31, 2006, from <http://www.nrclld.org/symposium2003/kavale/index.html>.
- Keys to Successful Learning* (1999, May). U.S. Department of Education, Office of Special Education, Learning Disabilities Summit, Washington, D.C.
- MacMillan, D.L., & Siperstein, G.N. (2002). Learning disabilities as operationally defined by schools. In R. Bradley, L. Danielson, & D.P. Hallahan (Eds.), *Identification of learning disabilities: Research to practice* (p. 287-368). Mahwah, NJ: Lawrence Erlbaum Associates.
- Rueda, R. (2005). Searching for the grand unifying theory: Reflections on the field of SLD, *Learning Disability Quarterly*, 28(2), 168-170.
- Stanovich, K.E. (2005). The future of a mistake: Will discrepancy measurement continue to make the learning disabilities field a pseudoscience? *Learning Disability Quarterly*, 28(2), 103-106.
- Ysseldyke, J.E., Algozzine, B., Richey, L., & Graden, J. (1982). Declaring students eligible for learning disability services: Why bother with the data? *Learning Disability Quarterly*, 5, 37-44.

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Johnson, E., & Mellard, D.F. (2006). *Getting started with SLD determination: After IDEA reauthorization.* Lawrence, KS: National Research Center on Learning Disabilities.

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## Section 5

# Design Your Plan



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- *Design the Plan, page 5.2*
- *Activity 5.1: Framework for SLD Identification Model, page 5.3*
- *Components to Assess for SLD Determination and Procedures, page 5.5*
- *Activity 5.2: SLD Components to Assess, page 5.6*
- *Developing Criteria, page 5.8*
- *Activity 5.3: Criteria for Decision Making, page 5.9*
- *References, page 5.10*

### Overview

The next three sections of this manual are designed to help you address the nuts and bolts of designing, implementing, and evaluating your new plan for SLD determination. *Section 5: Design Your Plan* contains activities to help your organization formulate a plan of action for designing an SLD identification model. This section focuses on designing procedures for SLD identification; *Section 6: Implementing Your Plan* and *Section 7: Evaluating Your Plan* focus on plan implementation and evaluation.

At this juncture, you should again review the membership of your working task force and ensure that you have an adequate representation of various professional groups and advocates. Much of the remaining work includes technical activities regarding SLD characteristics, their assessment, test scoring, and interpretation. Since these issues also will involve students across the age and grade level range and numerous activities, a number of staff can help distribute the workload and also help ensure that divergent views are represented.

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# Design

## Design the Plan

### ***Framework for developing your plan***

A framework for creating criteria that are consistent with accepted definitions of SLD, such as that presented by Scruggs (2003), should be an integral part of developing models of SLD identification. Scruggs (2003) highlighted unique features of the SLD definition that could be operationalized to provide a more comprehensive approach to SLD identification than either current approaches or a responsiveness to intervention (RTI) model alone might offer. These features include the following:

- *Preservation of the concept of SLD.* Current conceptualizations of SLD include various aspects that extend beyond low achievement. These include the notion that SLD manifests itself through unexpected low achievement for students with average or above-average intelligence, intra-individual differences, processing deficits, difficulties that are multifaceted in nature, and demonstrated patterns of relative strengths and weaknesses. An identification system must be comprehensive enough to capture the various aspects of our contemporary conceptualizations of SLD.
- *Discrimination.* Although a general shift has occurred toward a non-categorical approach to special education in the schools, an argument can be easily advanced that maintaining categories for purposes of intervention, advocacy, research, funding, and legislation (Scruggs, 2003) is critical. Students who do not respond to intervention might have learning problems due to other factors, such as mental retardation, emotional/behavioral disorders, attention deficit disorder, or generic low-achievement. Any model of SLD identification should be able to reliably differentiate between students who have learning disabilities and students whose learning problems are due to other factors.
- *Multifaceted nature of SLD.* Learning disabilities can manifest themselves in many areas. Current definitions include problems in math concepts, computation, reading comprehension, decoding, writing, spelling, memory, attention, and organizational skills. An identification system needs to incorporate reliable and valid measures of these various areas.
- *Age levels.* Specific learning disabilities persist across the life span, although manifestations and intensity may vary as a function of developmental and environmental or contextual demands. This requires an SLD identification system to cover the spectrum of age levels including preschool, primary grades, elementary, middle, and high school.
- *Technical adequacy.* An SLD identification system must yield reliable, valid outcomes and be applicable across school settings. Many of the criticisms of current identification models stem from the lack of fidelity with which they are implemented and the wide variability in practices. Fidelity of implementation is the critical, but difficult to manage, component for any alternative model. One can imagine that more complexities—such as resource intensity requirements, technical sophistication, involvement of varied staffs, and procedural steps—can increase the difficulty of implementation fidelity.

Examine your current framework for SLD identification according to these five features using the matrix and guiding questions in *Activity 5.1: Framework for SLD Determination Models*. How do your existing practices address these features? In what areas do you need improvement?

# Activity 5.1

## Framework for SLD Identification Model

Feature and guiding questions	Current practices that address this feature	Sufficiently addressed with current practice? Y/N	Current practice needs improvement? Y/N
<p><b><i>Preservation of the concept of SLD</i></b></p> <p>Our current model allows us to determine whether a student has</p> <ol style="list-style-type: none"> <li>1. Unexpected under-achievement</li> <li>2. Average to above-average intelligence</li> <li>3. Intra-individual differences</li> <li>4. Processing deficits</li> <li>5. Patterns of strengths and weaknesses</li> </ol>			
<p><b><i>Discrimination</i></b></p> <p>Our current model allows us to be reasonably certain that a student's learning problems are not due to</p> <ol style="list-style-type: none"> <li>1. Mental retardation</li> <li>2. Behavioral/emotional disorders</li> <li>3. Attention deficit disorder</li> <li>4. General low-achievement</li> <li>5. Cultural/language differences</li> <li>6. Lack of educational opportunity/poor instruction</li> </ol>			

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<b><i>Multifaceted nature of SLD</i></b>  Our current model includes reliable and valid measures to determine disability in <ol style="list-style-type: none"><li>1. Math concepts</li><li>2. Computation</li><li>3. Reading comprehension</li><li>4. Reading fluency</li><li>5. Phonemic awareness</li><li>6. Decoding</li><li>7. Writing</li><li>8. Memory</li><li>9. Attention</li><li>10. Organizational skills</li><li>11. Executive functioning</li></ol>			
<b><i>Age levels</i></b>  Our current model covers the spectrum of age levels: <ol style="list-style-type: none"><li>1. Preschool</li><li>2. Primary grades</li><li>3. Elementary school</li><li>4. Middle school</li><li>5. High school</li></ol>			
<b><i>Technical adequacy</i></b>  Our current model yields outcomes that are valid and reliably implemented across school settings			

Based on Scruggs, T. (2003, December). Alternatives to RTI in the assessment of learning disabilities. Paper presented at the NRCLD Responsiveness-to-Intervention Symposium, Kansas City, MO. Retrieved March 31, 2006, from <http://www.nrclld.org/symposium2003/scruggs/index.html>.

### ***Components to assess for SLD determination and procedures***

Particular components that meet the features of the SLD definition can be assessed/evaluated, yet current practices tend to reduce SLD to either a discrepancy in ability and achievement or just an indication of general low achievement, particularly in reading. To preserve the concept of SLD, a comprehensive, prescribed, and individual evaluation system should be in place. You have identified components to answer the question, “Who is the student with SLD?” in your work in previous sections of this *Getting Started with SLD Guide*. A companion manual, the *SLD Identification Handbook*, will provide much more detailed information on various components and the tools and methods available for their assessment. In this section, consider which SLD components will be included in your SLD determination model.

In *Section 4: Address Who is the Student with SLD*, you completed three activities: *Activity 4.1: Distinguishing Between Low-Achievement and SLD*, *Activity 4.2: Features and Related Characteristics of SLD*, and *Activity 4.3: Putting It All Together*.

Working through those activities should have helped clarify your views about distinctions between low achievement and SLD; identify characteristics of SLD that relate to features of federal and state SLD definitions that can be linked to research; and decide which of the characteristics are necessary for determining that a student has SLD.

You will need to refer to your responses from the activities in Section 4 as you complete *Activity 5.2: Components to Assess to design your plan*. You already have identified the characteristics necessary for determining that a student has SLD. To get you started, we have provided SLD determination characteristics included in an SLD identification model presented by Kavale (2003). You may choose to follow the model that has been presented or add to it or edit it to comply with the information you gathered in completing these activities.

# Activity 5.2

## Components to Assess

- **Step 1:** Take a minute to review and edit the list in the first column of the table.
- **Step 2:** In column two, briefly list the procedures available for assessment of each characteristic listed in column one. You need not get into specific detail. Here, you will be providing a framework to guide your assessment activity. For example, if you concluded that ruling out external causes was a necessary component for assessment, what procedures (e.g., responsiveness to intervention outcomes, observations, assessment tools, student work, interviews, checklists) exist to do that?
- **Step 3:** In column three, list the data currently available or that needs to be collected to assess the components/characteristics listed in column one.
- **Step 4:** Once you are ready to implement your plan, you will need to be clear about the staff's roles and responsibilities for each phase of identification/determination/eligibility. Assign an individual or small group as point of contact responsible for that component; list the responsible person or persons in column six. Inform the individuals about their role in the process, provide the necessary resources to accomplish the task, and conduct routine follow-ups of the process to ensure the process is working.

In completing columns two and three of the worksheet, you likely considered a variety of data collection procedures. However, employing proven assessment techniques alone does not guarantee the quality of the decisions that will be made. In steps 5 and 6, you will complete columns four and five to ensure that you are collecting quality data that meet the criteria of validity (e.g., the data collected accurately measure or reflect the specific component) and reliability (e.g., the same student will be consistently classified as SLD by another team).

- **Step 5:** To determine the validity of your data, consider the following questions:
  - Are any factors or intervening variables evident that should cause us to distrust these data?
  - How does the data measure or reflect the specific component?
  - Are these procedures the best sources of data we could collect to measure the component?

Make notes in column four of the table.

- **Step 6:** To determine the reliability of your data, consider the following questions:
  - Does the resulting data create an accurate representation of the student's functioning?
  - What reasons do we have to be suspicious of its accuracy?

Make notes in column five of the table.

Component/Characteristics	Procedure	Data	Valid—How Do I Know?	Reliable—How Do I Know?	Who is Responsible?
Appropriate learning experiences in reading and math					
Inter-individual academic ability analysis					
Evaluation of exclusionary factors					
Inter-individual cognitive ability analysis					
Re-evaluation of exclusionary factors					
Integrated ability analysis – evaluation of underachievement – in what areas does the underachievement occur?					
Evaluation of interference with functioning – why is it occurring?					
Related considerations – limitations in social skills, motor, vision, hearing					
Other					

Components from Kavale, K.A., Holdnack, J., Mostert, M.P., & Schmied, C.M. (2003, December). The feasibility of a responsiveness to intervention approach for the identification of specific learning disability: A psychometric alternative. Paper presented at the NRCLD Responsiveness-to-Intervention Symposium, Kansas City, MO. Retrieved March 31, 2006, from <http://www.nrclld.org/symposium2003/kavale/index.html>.

### ***Developing criteria***

The data you have collected on a particular student will now need to be assessed according to established criteria. You will have to develop criteria that:

- Determine whether a particular component is prevalent in the student
- Determine whether the pattern of results indicates SLD

Remember that the use of cut scores is a somewhat arbitrary procedure and that regardless of the cut points you choose for various assessments, you will always encounter students whose pattern of scores do not neatly indicate the presence of a specific learning disability. You will address this issue in the next phase, *Section 6: Implement Your Plan*. For now, the important task is to list the criteria that will help you make decisions based on individual results. Recall that these criteria might be numerical or qualitative. Numerical criteria have the advantage of likely producing more consistent and objective applications. Qualitative criteria also can be useful, provided sufficient guidance is available, usually in the form of an interpretation rubric.

In essence, these activities are helping you establish your SEA and LEA “gold standard.” You are constructing the standard against which LEA teams will work in the future in broad-scale application or implementation of SLD determination. With that in mind, your team members might benefit from reviewing the case files of specific students across the age or grade range. These student cases can reflect students who were judged as having SLD or no disability. The “gray area” students or students who

represent the borderline between SLD and other explanations can be important for fine-tuning the procedures and cut scores of your SLD determination model.

Establishing effective criteria that will accurately identify students with learning disabilities is an empirical process (Jenkins, 2003). Several sources of information are available to help you begin the process:

- Use published guidelines for the assessment (if included) for identifying students as at risk.
- Work backwards from existing data. For students currently identified as having SLD, what do their patterns of performance on these measures look like?
- Prioritize your SLD assessment components and consider which variables most strongly indicate the presence of SLD.
- Review existing research on the various components of SLD.

Once you have determined the criteria for both the specific components and the pattern of scores, transcribe the information from the *Activity 5.2: SLD Components to Assess* worksheet to create a matrix for decision-making (*Activity 5.3: Criteria for Decision-Making*) that will assist the eligibility team in the decision-making process.

# Activity 5.3

## Criteria for Decision Making

Prioritized component list (you may edit)	Criteria for individual component	Pattern of evidence—What needs to be present to indicate SLD?
Inter-individual academic ability analysis		
Evaluation of exclusionary factors		
Inter-individual cognitive ability analysis		
Re-evaluation of exclusionary factors		
Integrated ability analysis – evaluation of underachievement		
Evaluation of interference with functioning		
Related considerations, such as limitations in social skills, motor, visual, and hearing		
Other		

Components from Kavale, K.A., Holdnack, J., Mostert, M.P., & Schmied, C.M. (2003, December). The feasibility of a responsiveness to intervention approach for the identification of specific learning disability: A psychometric alternative. Paper presented at the NRCLD Responsiveness-to-Intervention Symposium, Kansas City, MO. Retrieved March 31, 2006, from <http://www.nrclld.org/symposium2003/kavale/index.html>.

# References

IDEA 2004: Individuals with Disabilities Education Improvement Act of 2004 (Public Law 108-446).

Jenkins, J.R. (2003, December). Candidate measures for screening at-risk students. Paper presented at the NRCLD Responsiveness-to-Intervention Symposium, Kansas City, MO. Retrieved March 31, 2006, from <http://www.nrcld.org/symposium2003/jenkins/index.html>.

Kavale, K.A., Holdnack, J., Mostert, M.P., & Schmied, C.M. (2003, December). The feasibility of a responsiveness to intervention approach for the identification of specific learning disability: A psychometric alternative. Paper presented at the NRCLD Responsiveness-to-Intervention Symposium, Kansas City, MO. Retrieved March 31, 2006, from <http://www.nrcld.org/symposium2003/kavale/index.html>.

Scruggs, T. (2003, December). Alternatives to RTI in the assessment of learning disabilities. Paper presented at the NRCLD Responsiveness-to-Intervention Symposium, Kansas City, MO. Retrieved March 31, 2006, from <http://www.nrcld.org/symposium2003/scruggs/index.html>.

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## Section 6

# Implement Your Plan



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- *Implement the Plan, page 6.2*
- *Activity 6.1: SLD Determination Process, page 6.3*
- *Activity 6.2: Create a Timeline, page 6.4*
- *Activity 6.3: Addressing Challenges, page 6.6*
- *References, page 6.7*

### Overview

As you have worked through the previous sections of *Getting Started with SLD Determination: After IDEA Reauthorization*, you have taken several steps to clarify the issue of specific learning disabilities (SLD) determination:

- You have developed a comprehensive understanding of the issues as they exist within your organization.
- You have reviewed relevant portions of the Individuals with Disabilities Education Improvement Act of 2004 (P.L. 108-446) (IDEA 2004) and considered how the law will affect your state's approach to SLD identification.
- You have identified the state educational agency (SEA) and local educational agency (LEA) challenges presented by SLD determination issues.
- You have developed an operational definition of SLD for your state.

With your increased clarity, now is the time to formulate a plan of action for implementing your new SLD identification model, the focus of this section; the next section focuses on evaluating this plan.

# Implement

## Implement the Plan

Now that you have identified the “what” of your SLD determination model in *Section 5: Design Your Plan*, it is time to consider the “how.” To begin, outlining the steps in the process for SLD determination is important. We have provided a sample for you in *Activity 6.1: SLD Determination Process* with blank space for you to add or revise (Kavale et al., 2003).

Quite likely, many of the procedures identified in this activity already exist in some form in your organization. Your next step is to identify the specific tasks and resources that will be required to refine and implement your SLD determination plan. Some researchers have argued that the most significant issues about accurate SLD determination are not about the “technology” of the components, procedures, and criteria, but rather the staffs’ sense of personal roles and team’s organization in the SLD implementation. These issues are about values, not technical capacity. The following are some questions for consideration:

1. What procedures and criteria are currently in place in your organization for SLD determination? How might they be improved and adapted to implement your new and improved plan?
2. To what degree are those existing procedures and criteria implemented with fidelity? What is

your sense that school child study teams collect, weigh, and evaluate assessment information and alternative explanations in a comparable manner?

3. What resources will be needed to implement your new SLD determination model? Resources include personnel, financial, material, and space requirements. Additionally, are changes in any types of infrastructure required? For example, if you use a child study team, what schedule of regular meetings would you need, reporting procedures, etc.? You will likely want to identify the resources you already are using in your referral and evaluation process to consider how redistributing them might help you achieve success with your new plan.
4. Review how your old procedures contributed to or exacerbated challenges with SLD determination (you have done this in *Section 5: Address challenges with SLD Determination in Your State*). How will you be sure to avoid these challenges?

# Activity 6.1

## *SLD Determination Process*

Stage	Methods	Critical Decision Points	Timeframes
Prereferral	Student may be designated as at risk during screening and progress monitoring, student may be identified through child study teams, parent may note concern for a student's progress	Current performance identifies student as "at risk"  Data collected does not indicate positive response to interventions	
Referral	Failure to progress even with Tier 2 level intervention in an RTI model, failure to progress given substantial, research-based accommodations and modifications	Data collected does not indicate positive response to interventions	
Evaluation	<p>List your components in order of evaluation from <i>Activity 5.2: SLD Components to Assess</i> (Examples here are from Kavale et al., 2003, but you will substitute your alternatives developed in Section 5.)</p> <ol style="list-style-type: none"> <li>1. Inter-individual academic ability analysis</li> <li>2. Evaluation of exclusionary factors</li> <li>3. Inter-individual cognitive ability analysis</li> <li>4. Re-evaluation of exclusionary factors</li> <li>5. Integrated ability analysis – evaluation of underachievement – in what areas does the underachievement occur?</li> <li>6. Evaluation of interference with functioning – why is it occurring?</li> <li>7. Related considerations – limitations in social skills, motor, vision, hearing</li> <li>8. Other</li> </ol>	Patterns or level of evidence, criteria for evidence of a component	
Eligibility	Individualized, comprehensive evaluation	Criteria and patterns indicate presence of SLD	

# *Activity 6.2*

## *Create a Timeline*

Once you have completed the design of your plan, you will have to start the process for implementation.

○ **Step 1:** Create a timeline for implementation. To begin, we will work backwards. What is the target date for implementing these new procedures? Write that date in the space provided in the timeline worksheet on page 6.5. Build the timeline from today's date in the space provided on the worksheet.

○ **Step 2:** Consider all of the steps necessary to make implementation work. For example, if one component you will need is to assess student responsiveness to intervention (RTI), what do you need to do to make that happen? Recall that RTI activities occur within general education, not special education. Perhaps staff members need to be trained in progress monitoring. Perhaps you have local education agencies (LEAs)/schools that have yet to adopt an evidence-based instructional program. Perhaps your LEAs/schools do not currently address all of the components of SLD and will need to acquire the resources, personnel, and training to do so. Once you have developed the list, prioritize it, and include this information in the timeline worksheet.

○ **Step 3:** Who will be responsible for completing the tasks you outlined in this activity? Assign individuals as point of contact to spearhead each task, inform them of their responsibilities, assess and provide the necessary resources to accomplish the task, and conduct routine follow-ups of progress until the task is complete. Some intermediate check points can be important to the overall assessment. Use this information to complete and update the timeline worksheet.

This task is far more complicated than one might initially consider. The staff development involved in addressing varied values, perspectives, and goals is likely much more involved than teaching a new skill (e.g., conducting school-wide screening or progress monitoring).

## *Section 6: Implement Your Plan*

## Activity 6.3

### Addressing Challenges

In *Section 3: Address Challenges with SLD Determination in Your State*, you identified the contextual factors that make SLD determination difficult. How does your plan specifically address these issues? What other resources might be required to ensure that identification decisions are not influenced by factors not related to the components of SLD? Using this information, complete *Activity 6.3: Addressing Challenges*.

Challenges	How challenges affect decisions	Resources needed to address challenges

# *References*

## *References*

IDEA 2004: Individuals with Disabilities Education Improvement Act of 2004 (Public Law 108-446).

Kavale, K.A., Holdnack, J., Mostert, M.P., & Schmied, C.M. (2003, December). The feasibility of a responsiveness to intervention approach for the identification of specific learning disability: A psychometric alternative. Paper presented at the NRCLD Responsiveness-to-Intervention Symposium, Kansas City, MO. Retrieved March 31, 2006, from <http://www.nrclld.org/symposium2003/kavale/index.html>.

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# Evaluate Your Plan

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- *Evaluate the Plan, page 7.2*
- *Evaluation Questions, page 7.2*
- *Evaluation Plan, page 7.2*
- *Activity 7.1: Evaluation Plan Matrix, page 7.2*
- *Activity 7.2: Evaluation Management Matrix, page 7.8*
- *Conclusions, page 7.10*
- *References, page 7.10*

### Overview

Accountability, evaluation, and outcomes have all become familiar terms with the implementation of standards and assessments related to the requirements of No Child Left Behind Act of 2001 (P.L. 107-110) (NCLB 2001) and many of the provisions of the Individuals with Disabilities Education Improvement Act of 2004 (P.L. 108-446) (IDEA 2004). Evaluation is essential in determining whether a program is having the desired effect and achieving stated outcomes. This section outlines a strategy that draws on many of your existing tools and requirements to evaluate how your specific learning disabilities (SLD) determination model will achieve its stated goals.

The goal of any evaluation is to determine the merit of whatever is evaluated (Joint Committee on Standards for Educational Evaluation, 1994). In this case, we hope that you will implement evaluation procedures that inform through accountability and feedback the processes you have developed for SLD determination. The following are the goals of this section on evaluation:

- To determine whether your SLD determination procedures result in improved identification as measured by the criteria of timeliness, accuracy, and improved service delivery.
- To work toward policy coherence by drawing on existing accountability measures required by NCLB 2001 and IDEA 2004 (e.g., Adequate Yearly Progress [AYP] and State Performance Plan [SPP])
- To empower your staff to work as a collaborative team.
- To systematically use data to inform your process.

One also can expect that changes in the SLD determination model will have other unintended consequences. Some of those consequences might be very positive (e.g., improved general education instruction). Other consequences might be considered negative (e.g., a reduction in the special education budget allocated to direct services for students with designated disabilities; a reduction in caseloads; general education staff having an increasingly diverse skill level within the classroom; special education services having fewer students transitioning into the general education classroom). Some outcomes may be positive or negative depending on your particular perspective (e.g., fewer students with above-average ability classified as SLD; fewer students with SLD finding success in the general education curriculum; fewer students with SLD completing high school with their cohort; fewer students with SLD successfully remediated or transitioned to post-secondary settings).

# Evaluate

## Evaluate the Plan

After moving through the implementation phase, you need to evaluate progress toward and viability of your SLD determination plan. Your evaluation should contain both formative (e.g., Are we implementing this correctly? Have we selected the right processes?) and summative (e.g., Has our plan helped us achieve our stated objectives?) elements to inform your process. This section identifies some of the objectives of an SLD determination plan; you should feel free to expand or edit these objectives to best fit your needs. Within the planning tools, information has been provided to serve as an example. Feel free to adapt the use of the materials provided here so they best meet your needs. This section provides the following:

- Evaluation questions to focus your efforts
- An evaluation plan developmental tool to evaluate SLD determination procedures
- A management plan to conduct the evaluation

### ***Evaluation questions***

Fundamental standards for evaluating an SLD determination plan might include:

- *Timeliness.* Are we identifying students in a timely, efficient manner?
- *Accuracy.* Are we identifying the right students?
- *Improved outcomes.* Does identification lead to improved service delivery and improved outcomes for students with SLD?

Some guiding questions for you to consider as you evaluate your plan for SLD determination:

1. Are you meeting your implementation timeline?
2. Do you have sufficient resources to implement your plan *and* address the challenges you have identified?
3. Does your plan result in improved identification methods? Some ways to measure this include collecting baseline measures of the following

factors, then continuing to collect information on a routine basis to determine progress. The factors to consider include:

- Percentages/rates of SLD identification
- Outcomes of students with SLD (grades, time in general education, performance on assessments, graduation rates)
- Time lapse from prereferral to referral to evaluation to eligibility determination to service delivery
- Demographics (ethnicity, language, and gender) of students identified with SLD and their proportion of your school population
- Fidelity of implementation across school districts
- Adequacy of services provided to students

### ***Evaluation plan***

For each of the evaluation questions listed in *Activity 7.1: Evaluation Plan Matrix*, your evaluation should contain the following elements:

- Description of the information required to answer the question
- Sources of information (that is, where will the information come from?)
- Logistics of data collection (For example, who will collect the data? How often will data be collected?)
- Analysis and interpretation procedures (For example, what does the information mean? Who will analyze it? What level of detail should the interpretation include?)
- Reporting and/or acting on results (For example, what do we do with this information?)

In *Activity 7.1: Evaluation Plan Matrix*, we have provided a worksheet adapted from Worthen et al. (1997) that you can use to develop a plan for evaluating your SLD determination procedures.

# Activity 7.1

## Evaluation Plan Matrix

### Timeline for Implementation

**Evaluation question:** Are you meeting your timeline for implementation, in terms of both process and implementation?

Information Required	
Rates of progression on implementation (training personnel, developing infrastructure, securing resources)	<i>Sources of information:</i>
Time lapse from prereferral to referral to evaluation to eligibility determination to service delivery	<i>Sources of information:</i>
Other:	
Logistics of Data Collection	
Who will collect the data?	
How often will data be collected?	
Other:	
Analysis/Interpretation Procedures	
Who will analyze the data?	
What level of detail should the interpretation include?	
Are we identifying students in a timely, efficient manner?	
Are we identifying the right students?	
Does identification lead to improved service delivery and improved outcomes for students with SLD?	
Other:	
Reporting/Acting on Information	
What do we do with this information?	
Other:	

# Activity 7.1

## Evaluation Plan Matrix

### Resources

**Evaluation question: Do you have sufficient resources to implement your plan *and* address the challenges you're identified?**

Information Required	
Budget information	<i>Sources of information:</i>
Materials information	<i>Sources of information:</i>
Personnel information	<i>Sources of information:</i>
Reflective feedback from staff	<i>Sources of information:</i>
Other:	
Logistics of Data Collection	
Who will collect the data?	
How often will data be collected?	
Other:	
Analysis/Interpretation Procedures	
Who will analyze the data?	
What level of detail should the interpretation include?	
Are we identifying students in a timely, efficient manner?	
Are we identifying the right students?	
Does identification lead to improved service delivery and improved outcomes for students with SLD?	
Other:	
Reporting/Acting on Information	
What do we do with this information?	
Other:	

# Activity 7.1

## Evaluation Plan Matrix

### **Improved Identification Methods**

**Evaluation question: Is your plan resulting in improved identification methods?**

Information Required	
Time lapse from prereferral to referral to evaluation to eligibility determination to service delivery	<i>Sources of information:</i>
Percentages/rates of SLD identification	<i>Sources of information:</i>
Outcomes of students with SLD (grades, time in general education, performance on assessments, graduation rates)	<i>Sources of information:</i>
Demographics (ethnicity, language, gender) of students identified with SLD and their proportion of school population	<i>Sources of information:</i>
Perceived relevance of evaluation process to service delivery (for example, special education teachers use the data/information to design instructional programs)	<i>Sources of information:</i>
Other:	
Logistics of Data Collection	
Who will collect the data?	
How often will data be collected?	
Other:	
Analysis/Interpretation Procedures	

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Who will analyze the data?	
What level of detail should the interpretation include?	
Are we identifying students in a timely, efficient manner?	
Are we identifying the right students?	
Does identification lead to improved service delivery and improved outcomes for students with SLD?	
Other:	
<b>Reporting/Acting on Information</b>	
What do we do with this information?	
Other:	

# Activity 7.1

## Evaluation Plan Matrix

**Evaluation question:**

Information Required	
	<i>Sources of information:</i>
Logistics of Data Collection	
Analysis/Interpretation Procedures	
Reporting/Acting on Information	

## *Activity 7.2*

# *Evaluation Management Matrix*

Just as it was critical to identify responsible personnel, needed resources, and timelines during the design and implementation phases of developing your SLD determination plan, considering these elements as they apply to your evaluation procedures also is critical. The following evaluation management plan matrix may help you become more specific about who will be responsible for conducting the evaluation and what will be needed to make it effective. The matrix (also adapted from Worthen et al., 1997) contains the following elements:

- Relevant evaluation question(s) (from the evaluation plan matrix you developed in Activity 7.1.)
- Required tasks to implement evaluation
- Estimated beginning and end dates or estimated time periods for each task
- Personnel responsible for each task (identified *by name*)
- Other resources needed to complete each task
- Cost projections for each task and entire project

Evaluation question	Task	Timeframe	Personnel (Names)	Materials and equipment	Costs
Are you meeting your timeline for implementation?	1. Monitor implementation in accordance with planned timeframes.	Initial review: _____ Periodic review of timeframes for SLD determination process _____			
Do you have sufficient resources to implement your plan <i>and</i> address the challenges you've identified?	1. Review staffing, resourcing and funding information. 2. Solicit feedback from staff.	Initial review: _____ Ongoing reviews: _____ _____			
Is your plan resulting in improved identification methods?	1. Collect baseline information (may already exist from State Performance Plan) 2. Develop data management tools for ongoing evaluation 3. Relate/connect information to existing data sources (e.g., NCLB 2001 and accountability requirements, current procedures for special education reporting)	Baseline: _____ Semiannually/ annual? _____ _____			Total cost:

# Conclusions

Evaluation is a critical component when any new process is implemented. Using existing accountability and evaluation tools, it is likely that your organization already collects or has existing plans to collect, much of the information that would be needed to determine whether its SLD determination model is effective.

The AYP requirements created under NCLB 2001 provide volumes of data to SEAs that may merely need to be sorted and reviewed in a slightly different way. Similarly, completing the annual SPP template for IDEA 2004 provides SEAs an

evaluation tool complete with an established set of priorities and indicators on which to measure improvement. The U.S. Department of Education has populated and unpopulated AYP and SPP forms and templates in Microsoft® Word and PDF versions on its web site at <http://www.ed.gov/policy/speced/guid/idea/capr/index.html>. Using the data already collected under existing legislative initiatives when designing, implementing, evaluating, *and periodically revising* your state's SLD determination model assures policy coherency and federal compliance.

# References

IDEA 2004: Individuals with Disabilities Education Improvement Act of 2004 (Public Law 108-446).

Isaac, S., & Michael, W.B. (1997). *Handbook in research and evaluation for education and the behavioral sciences*, 3<sup>rd</sup> Ed. San Diego, CA: Ed-ITS

Joint Committee on Standards for Educational Evaluation (1994). The Program Evaluation Stan-

dards, 2<sup>nd</sup> Ed. Thousand Oaks, CA: Sage.

NCLB 2001: No Child Left Behind Act of 2001 (Public Law 107-110).

Worthen, B.R., Sanders, J.R., & Fitzpatrick, J.L. (1997). *Program evaluation: Alternative approaches and practical guidelines*, 2<sup>nd</sup> Ed. White Plains, NY: Addison Wesley Longman.

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